

Assembly Concurrent Resolution

No. 228

Introduced by Assembly Member Chavez

April 22, 2004

Assembly Concurrent Resolution No. 228—Relative to video and computer games.

LEGISLATIVE COUNSEL'S DIGEST

ACR 228, as introduced, Chavez. Video and computer games: rating system.

This measure would urge video and computer game producers to cease production and distribution of video and computer games that allow players to virtually commit realistic and serious criminal acts. The measure would urge the video and computer game industry and its retail partners to make efforts to educate consumers about the availability of the Entertainment Software Rating Board rating system, and that retailers utilize the rating system. The measure would also urge community groups, statewide advocacy groups, and the media to promote and educate consumers about the rating system.

Fiscal committee: no.

- 1 WHEREAS, Ninety-two percent of children between 2 and 17
- 2 years of age play video or computer games; and
- 3 WHEREAS, An increasing number of video and computer
- 4 games in the retail marketplace allow the player to use an
- 5 interactive device to virtually commit realistic and serious
- 6 criminal acts, including killing police officers, maiming elderly
- 7 persons, running over pedestrians, and committing despicable acts
- 8 of murder and torture upon women and racial minorities; and

1 WHEREAS, According to the public health community,
2 including the American Academy of Pediatrics, the American
3 Psychological Association, the American Academy of Child and
4 Adolescent Psychiatry, the American Medical Association, the
5 American Academy of Family Physicians, and the American
6 Psychiatric Association, numerous studies “point
7 overwhelmingly to a causal connection between media violence
8 and aggressive behavior in some children” and they have
9 concluded “based on over 30 years of research that viewing
10 entertainment violence can lead to increases in aggressive
11 attitudes, values, and behavior, particularly in children”; and

12 WHEREAS, The Entertainment Software Rating Board
13 (ESRB), established in 1994, is a self-regulatory organization that
14 independently rates all entertainment software, including video
15 and computer games; and

16 WHEREAS, The ESRB rating system provides age-based
17 ratings and content information where warranted for virtually
18 every video and computer game produced and distributed in the
19 United States, and through an advertising code requires the display
20 of these ratings on all game packaging and marketing materials;
21 and

22 WHEREAS, Games rated “M” for Mature by the ESRB may
23 contain mature sexual themes, intense violence, or strong
24 language and may not be suitable for persons under 17 years of
25 age; and

26 WHEREAS, Games rated “AO” for Adults Only by the ESRB
27 may contain graphic depictions of sex or violence that is not
28 suitable for persons under 18 years of age; and

29 WHEREAS, Major retailers accounting for over 90 percent of
30 all video game sales in the United States have embraced the ESRB
31 rating system and have committed themselves to not sell Mature
32 rated video games to persons under 17 years of age, and to not sell
33 Adults Only rated video games to persons under 18 years of age;
34 and

35 WHEREAS, Efforts to educate consumers about the ESRB
36 rating system and efforts to increase enforcement of the ESRB
37 Mature and Adults Only ratings at point-of-sale should be
38 increased in California to ensure that consumers can make
39 educated choices about the video and computer games that they



1 rent and purchase, and to ensure that store enforcement policies are
2 effective; and

3 WHEREAS, Efforts to educate consumers about the ESRB
4 rating system and efforts to increase enforcement of ESRB Mature
5 and Adults Only ratings at point-of-sale should be fully utilized by
6 retailers of video and computer games in California to assist
7 parents in choosing the video and computer games to which their
8 children have access; now, therefore, be it

9 *Resolved by the Assembly of the State of California, the Senate*
10 *thereof concurring*, That video and computer game producers
11 carefully consider the content of their games and cease production
12 and distribution of video and computer games that allow players
13 to use an interactive device to virtually commit realistic and
14 serious criminal acts, including killing police officers, maiming
15 elderly persons, running over pedestrians, and committing
16 despicable acts of murder and torture upon women and racial
17 minorities; and be it further

18 *Resolved*, That the Legislature urges the video and computer
19 game industry and its retail partners to make every effort to
20 educate consumers about the availability of the ESRB rating
21 system to aid in the selection of video and computer games; and
22 be it further

23 *Resolved*, That retailers of video and computer games should
24 fully embrace and utilize the ESRB rating system and refuse to
25 sell, rent, exhibit, or distribute to children games that are rated
26 “Mature” or “Adults Only”; and be it further

27 *Resolved*, That the Legislature urges community groups,
28 statewide advocacy groups, and the media to work collaboratively
29 with the ESRB to promote the rating system and educate
30 consumers about the use of the rating system, including
31 distributing ESRB educational material and airing and publishing
32 public service announcements in local and national media; and be
33 it further

34 *Resolved*, That the Chief Clerk of the Assembly transmit copies
35 of this resolution to the California Retailers Association, the
36 Entertainment Software Association, the Interactive
37 Entertainment Merchants Association, the International Game
38 Developers Association, the Video Software Dealers Association,



- 1 the Entertainment Software Ratings Board, and to the author for
- 2 appropriate distribution.

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